

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA . CRIMINAL NO. 04-10303-RCL

V. . BOSTON, MASSACHUSETTS  
. FEBRUARY 1, 2005

RASHAUN SCOTT  
Defendant

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TRANSCRIPT OF CONFERENCE  
BEFORE THE HONORABLE JOYCE LONDON ALEXANDER  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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Proceedings recorded by digital sound recording,  
transcript produced by transcription service.

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I N D E X

Proceedings

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P R O C E E D I N G S

COURT CALLED INTO SESSION

THE CLERK: The Honorable Joyce London Alexander presiding. You may be seated. Today's date is February 1, 2005. The Court will now hear the case of United States v. Rashaun Scott, Criminal Case No. 04-10303. Will the attorneys please identify themselves for the record.

MR. RICHARDSON: Robert Richardson for the United States. Good afternoon, Your Honor.

THE COURT: Good afternoon.

MR. SUTTER: Good afternoon, Your Honor.

THE COURT: Good afternoon.

MR. SUTTER: Sam Sutter for the defendant, Mr. Rashaun Scott.

THE COURT: We need to set a motion date and the final conference, status conference date; is that correct.

MR. SUTTER: Yes, Your Honor.

THE COURT: Okay. Why don't we - Mr. Brown, can you see my schedule for--

THE CLERK: March 15<sup>th</sup> at 2:30.

THE COURT: --March 15<sup>th</sup> - 15<sup>th</sup> at 2:30 for a final status conference.

MR. SUTTER: Your Honor, I have a trial in Taunton that day. I'm wondering if we could go to March 16<sup>th</sup> or 17<sup>th</sup> in the afternoon?

1 PAUSE

2 THE COURT: March 17<sup>th</sup>?

3 MR. SUTTER: That would be fine.

4 THE COURT: Is that a holiday?

5 MR. SUTTER: It's, well it's in a way--

6 THE COURT: It's darkened on the calendar.

7 MR. SUTTER: It's St. Patrick's Day and Evacuation  
8 Day I think.

9 THE COURT: Oh.

10 MR. RICHARDSON: In Suffolk County I think it's a  
11 holiday.

12 THE COURT: Its closed. Do you celebrate it? Maybe  
13 #4:40:31 I will schedule you.

14 MR. RICHARDSON: I'm 1/16<sup>th</sup> Irish so I come to work.

15 THE COURT: Pardon?

16 #4:40:32: The city of Boston and the city of  
17 Cambridge #4:40:38

18 THE COURT: Oh. Oh I remember that as a youngster.  
19 How about the 16<sup>th</sup>?

20 MR. SUTTER: That should be fine, Your Honor.

21 THE COURT: All right. And why don't we set motions  
22 to be filed - do you anticipate dispositive motions?

23 MR. SUTTER: Well, Your Honor, I have certainly a  
24 viable motion to suppress.

25 THE COURT: Uh-huh.

1 MR. SUTTER: I think my brother would concede that.  
2 And I would ask the Court to - I have a very busy trial  
3 calendar over the next couple months. If I could have until  
4 the first of April would that be all right to file it?

5 THE COURT: That's in excess of the 45 day--

6 MR. SUTTER: Oh, all right. Well then--

7 THE COURT: --period.

8 MR. SUTTER: --how about the day that we're due for  
9 the status conference?

10 THE COURT: That's fine.

11 THE CLERK: March 16<sup>th</sup> at--

12 PAUSE

13 THE COURT: That's the 16<sup>th</sup>?

14 MR. SUTTER: Yes.

15 THE COURT: Okay. Government's response March, to be  
16 filed on or before March 31<sup>st</sup>. The hearing time is 10 a.m.--

17 MR. SUTTER: On?

18 THE COURT: The 16<sup>th</sup>.

19 MR. SUTTER: Oh. Well I wonder if we could go to the  
20 afternoon because there's always a possibility that my trial  
21 would spill over until--

22 THE COURT: All right.

23 MR. SUTTER: --the morning of the next day.

24 THE CLERK: Two p.m.?

25 THE COURT: If it's in Taunton let's make it three.

1 MR. SUTTER: Thank you.

2 THE COURT: Three p.m. Anything further?

3 MR. SUTTER: Your Honor, I would like a detention  
4 hearing on behalf of Mr. Scott depending upon the Court's  
5 calendar.

6 PAUSE

7 THE COURT: Wednesday the 16<sup>th</sup> at 10 a.m., February  
8 16<sup>th</sup>--

9 MR. SUTTER: February?

10 THE COURT: Right.

11 MR. SUTTER: I would ask for something a little bit  
12 beyond that?

13 THE COURT: Two? Oh, you mean a time, a date beyond  
14 the 16<sup>th</sup>?

15 MR. SUTTER: I just, I can't--

16 THE COURT: That's fine, you're asking for the  
17 detention hearing. When did you--

18 MR. SUTTER: Your Honor--

19 THE COURT: Which week? If you can give me the week  
20 so--

21 MR. SUTTER: I--

22 THE COURT: --the clerk can look at the schedule.

23 MR. SUTTER: --was wondering if there's anything  
24 available the afternoon of March the 3<sup>rd</sup> or any time on March  
25 the 4<sup>th</sup>? I know I can set anything--

1 THE CLERK: Friday's good.

2 THE COURT: Okay.

3 MR. SUTTER: If that's all that's available I'll take  
4 it.

5 PAUSE

6 THE COURT: You wanted the third on the, at what  
7 time?

8 MR. SUTTER: In the afternoon. I have to be in  
9 Attleboro in the morning.

10 PAUSE

11 THE COURT: Three?

12 MR. SUTTER: That's great. Thank you very much.

13 THE COURT: Anything further?

14 MR. SUTTER: Not for me, Your Honor. Thank you, Your  
15 Honor.

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CERTIFICATION

I, Maryann V. Young, court approved transcriber, certify that the foregoing is a correct transcript from the official digital sound recording of the proceedings in the above-entitled matter.

/s/ Maryann V. Young

April 9, 2008

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